



Legislation Details (With Text)

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Title: Pass the ordinance granting a variance to reduce the amount of required off-street parking for Glacier Park Resubdivision No. 13 (Freddy's) - PZC 22-1-091

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B Final Subdivision Plat, 4. Exhibit C Site Plan, 5. Exhibit D Parking Study, 6. Exhibit E Standards, 7. Development Petition, 8. Color Building Elevations, 9. Elevations, 10. Landscape Plan, 11. Final Engineering, 12. Sign Packet, 13. 2-1-2023 PZC Minutes

Date	Ver.	Action By	Action	Result
2/21/2023	1	City Council	passed as amended	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to reduce the amount of required off-street parking for Glacier Park Resubdivision No. 13 (Freddy's) - PZC 22-1-091

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) conducted the public hearing on PZC 22-1-091 at their February 1, 2023 meeting. There were no public speakers on this case. At the conclusion of discussion, the PZC made a motion to approve PZC 22-1-091 subject to the conditions outlined by staff (vote 6-0). Staff concurs.

BACKGROUND:

The subject property is a 14,910 square foot outlot that is generally located within the parking lot of the shopping center which is located on the east side of Route 59, north of Glacier Park Avenue. More specifically, the outlot is located just west of the existing commercial building and is currently paved over with parking spaces. The outlot has a common street address of 1967 Glacier Park Avenue and is zoned B2 (Community Shopping Center District).

The subject property was created as Lot 3 of the Glacier Park Resubdivision No. 9 in 2007 (Ordinance 07-130). The resubdivision allowed for the creation of two outlots, Lot 3 (10,800 sf in size) and Lot 2 (10,000 sf in size). These outlots were created to allow for future commercial development within the shopping center and were approved with a condition that they must be designated for uses

which require a parking demand of 4.5 parking spaces per 1,000 square feet of gross floor area or less. The current proposal is a request for a parking variance to allow for a fast-food establishment, which requires 17 parking spaces per 1,000 sf of gross floor area, to be constructed within the outlot.

DISCUSSION:

The Petitioner, ABDH Partners, LLC, is proposing to construct a 3,230 square foot fast-food establishment with a drive-thru known as Freddy’s within the outlot. The B2 zoning district permits eating establishments by right and the Land Use Master Plan (2022) identifies the future land use of the subject property as Urban Center. Staff finds the proposed development is compatible with the future land use designation and is consistent with the intent of the B2 zoning district.

Variance to Reduce the Required Off-Street Parking

The Petitioner requests approval of a variance to Section 6-9-3 (Schedule of Off-Street Parking Requirements) to reduce the required amount of off-street parking on the subject property to allow for the construction of a 3,230 square foot fast-food establishment. Per Code, a fast-food establishment is required to provide 17 parking spaces per 1,000 square feet of gross floor area.

The parking lot is shared with the existing multi-tenant commercial building which is occupied by Urban Air Adventure Park and Marshalls. Urban Air Adventure Park was granted approval of a parking variance in 2018 to reduce the required parking from 10 to 5 parking spaces per 1,000 square feet (Ordinance #18-144). In order to accommodate the proposed building, 47 parking spaces will be removed from the shopping center reducing the total parking count from 420 parking spaces to 373 parking spaces.

The table below identifies the Code required parking counts for the existing uses and the proposed Freddy’s. The table accounts for the reduced parking count resulting from the approved parking variance for Urban Air. Per Code, a total of 409 parking spaces are required, but 373 parking spaces are provided resulting in a deficit of 36 parking spaces.

Use	Parking Ratio (parking spaces/1000 sq. ft.)	Proposed Sq. Ft.	Required Spaces
Urban Air	10/1,000 (reduced to 5/1,000 per ordinance 18 - 144)	51,000	255
Marshalls	4.5/1,000	22,000	99
Proposed Freddy's	17/1,000	3,230	55
		Required Spaces	409
		Existing Spaces	420
		Total Spaces post construction (47 spaces removed)	373
		Deficit	(36)

The Petitioner has submitted a parking study, conducted by KLOA, Inc., to support the requested parking variance. The study reviewed the existing peak parking demand of the shopping center and analyzed the projected parking demand of the shopping center with the proposed Freddy’s restaurant.

The projected parking counts for Freddy’s were based on the Institute of Transportation Engineers (ITE) Parking Generation Manual 5th addition and a parking occupancy survey of an existing 3,148

square-foot Freddy's restaurant located in Missouri. The parking occupancy survey of the existing facility in Missouri identified that a total supply of 31 parking spaces would be adequate to accommodate the peak parking demand at Freddy's (note: this number is 10-15% higher than the actual peak parking counts in order to provide a surplus number of available parking spaces).

The parking study analyzed the existing peak parking counts of the shopping center every hour from 11:00 am to 8:00 pm on a Friday, Saturday, and Sunday. Out of the three days analyzed, the highest parking count occurred on Saturday at 6:00 pm with a peak parking count of 230 vehicles. Based upon the data included within the parking study which revealed that there will be 373 parking spaces available and a peak parking demand of 261 vehicles occupying these spaces (230 vehicles for the existing shopping center + 31 vehicles anticipated at peak occupancy for Freddy's = 261 vehicles), Freddy's is expected to have more than sufficient parking at the subject property.

The Petitioner's responses to the standards for granting a variance are attached. Upon review, staff agrees with the Petitioner's findings and recommends their adoption subject to the following condition (note: this condition has been added to the ordinance):

1. If the City's Zoning Administrator determines that the tenants' parking need cannot be accommodated with the parking on the subject property, the Petitioner and Owner shall take adequate measures to meet the parking needs of said tenants, including but not limited to formally assigning/reserving parking spaces for each tenant space, limiting business hours of operation, alter the number of employees or other business operations, constructing additional parking spaces and/or establishing an overflow parking location off-site as necessary, which shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to accommodate tenant parking needs may result in the City's revocation of the parking variance.

Building Elevations

The building facades primarily consist of face brick with EIFS accents in neutral colors. The façades incorporate architectural elements such as awnings, a brick knee wall, and decorative lighting. The proposed refuse area is located north of the building and is screened with a brick screen wall consistent with the proposed building materials. All rooftop equipment including RTU's, vent stacks, and pipes will be screened to the full height of the equipment by the parapet wall

Landscaping

The Petitioner has submitted a landscape plan. The proposed landscape plan calls for landscaping within the parking lot islands, screening around the refuse area, plantings to be installed in front of the parking spaces to the west of the building and north of the drive-thru. The Petitioner also provided landscaping around the building where possible including next to the drive-thru menu board which is located just north of the building. Staff is supportive of the proposed landscaping plan.

Preliminary/Final Plat of Subdivision

The proposal includes a Preliminary/Final Plat of Subdivision in order to slightly shift the lot lines to enlarge the outlot from 10,800 sf to 14,910 sf. No lot splits are proposed. Given the proposed preliminary/final plat of subdivision is in compliance with all technical zoning requirements and is not creating any new buildable lots, the plat is administratively reviewed by staff. Information on this request is provided for reference only.

FISCAL IMPACT:

None